

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: HARVEY, et al.
Serial No.: 10/648,140
Filing Date: August 25, 2003
Group Art Unit: 2164
Confirmation No.: 3247
Examiner: Alicia M. Lewis
Title: **WEB SERVICES APPARATUS AND METHODS**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

PRE-APPEAL BRIEF REQUEST FOR REVIEW

The following Pre-Appeal Brief Request for Review ("Request") is being filed in accordance with the provisions set forth in the Official Gazette Notice of July 12, 2005 ("OG Notice"). Pursuant to the OG Notice, this Request is being filed concurrently with a Notice of Appeal. Applicants respectfully request reconsideration of the application in light of the remarks set forth below.

REMARKS

In a final Office Action mailed June 26, 2007 (the “Office Action”) Claims 1-17 were rejected. Applicants seek review of the rejection of Claims 13-17. Applicants do not seek review in this request of the rejections of Claims 1-12. Applicants request a finding that the rejection of Claims 13-17 is improper.

Section 103 Rejections

The Office Action rejects Claims 13-17 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,834,286 issued to Srinivasan, et al., (“*Srinivasan*”) in view of U.S. Patent Application Publication No. 2004/0002955 issued to Gadbois (“*Gadbois*”). Applicants respectfully traverse these rejections for the reasons stated below.

Claim 13 is directed to a method for use in a Web Services system that includes providing a Web Services Directory having a plurality of object classes. The plurality of object classes have a plurality of attributes. A plurality of unique names for each of the plurality of attributes are defined. Each of the plurality of unique names correspond to a respective one of the plurality of object classes. An index is generated based on the plurality of unique names.

The Office Action rejects Claim 13 and contends that the limitations of Claim 13 are disclosed by *Srinivasan* and *Gadbois*. However, neither *Srinivasan* nor *Gadbois*, alone or in combination, disclose, teach, or suggest “defining a plurality of unique names for each of the plurality of attributes, each of the plurality of unique names corresponding to a respective one of the plurality of object classes.” The Office Action contends that *Srinivasan* discloses this limitation because: “this claim limitation only requires that each attribute correspond to at least one object class.” See Office Action, Page 6. Applicants respectfully disagree. First, Applicants note that this is a clear mischaracterization of Claim 13. At no point does the phrase “at least one object class” appear in Claim 13. Thus, Applicants respectfully disagree with the conclusions of the Office Action regarding Claim 13, and do not acquiesce to the characterizations, statements and/or definitions delineated in the Office Action in support of these rejections under 35 U.S.C. § 103.

Second, to the extent that the PTO continues to rely on such unsupported conclusions, Applicants respectfully submit that the Office Action mischaracterizes *Srinivasan* as well. The Office Action contends that Column 2, lines 1-50 and Column 5, lines 37-65 of *Srinivasan* teaches “defining a plurality of unique names for each of the plurality of attributes.” See Office Action, Page 4. Applicants respectfully disagree. At no point does *Srinivasan* teach defining unique attribute names. Instead, *Srinivasan* explicitly teaches that different object classes may include the same attribute names, stating: “objects from different object classes may contain the same attribute type.” See *Srinivasan*, Column 10, lines 56-57. For example, Figure 1 of *Srinivasan* illustrates two different object classes: 1) a “Department” object class; and 2) a “Person” object class. Both the “Department” object class and the “Person” object class of *Srinivasan* include the same attribute type “State.” Therefore, *Srinivasan* does not teach or suggest defining unique names for each of the attributes. For at least these reasons, Applicants respectfully submit that Claim 13 is patentably distinguishable from *Srinivasan* and *Gadbois*.

Claims 14-17 each depend, either directly or indirectly, from Claim 13. For at least the reasons above, Applicants respectfully contend that Claims 14-17 are patentably distinguishable from *Srinivasan* and *Gadbois*.

CONCLUSION

As the rejection of Claims 13-17 contains clear legal and factual deficiencies, Applicants respectfully request a finding of allowance of Claims 13-17. If the PTO determines that an interview is appropriate, Applicants would appreciate the opportunity to participate in such an interview. To the extent necessary, the Commissioner is hereby authorized to charge any required fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants



Luke K. Pedersen
Reg. No. 45,003
PHONE: (214) 953-6655

Date: 8/23/07

CORRESPONDENCE ADDRESS:

Customer Number: **05073**
Attorney Docket No.: 063170.6611